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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/776,500	02/12/2004	Per-Ake Minborg	2002-544	3666
54472 7590 09/11/2009 COATS & BENNETT/SONY ERICSSON 1400 CRESCENT GREEN SUITE 300 CARY, NC 27518				
EXAMINER				
HASHEM, LISA				
ART UNIT		PAPER NUMBER		
2614				
MAIL DATE		DELIVERY MODE		
09/11/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/776,500

Applicant(s)

MINBORG ET AL.

Examiner

LISA HASHEM

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 August 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/CDC)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Response to Arguments

1. In view of the After Final Amendment filed on 8-10-2009, PROSECUTION IS HEREBY REOPENED because Applicant's arguments are persuasive. A new action is set forth below.
2. Applicant argues that Grunsted does not disclose: '...a telecommunications network...', '...autonomous type terminals...', '...network type terminals...', '...associating each of the first and second subscribers with the corresponding type of terminal...', and '...selectively providing data object retrieval only to subscribers associated with network type terminals...'. Examiner disagrees. Fig. 1 discloses a telecommunications network which is an architecture of a telephone service system that provides call setup between a subscriber of a computer and a subscriber of a telephone comprising an autonomous type terminal (i.e. computer) that comprises a web browser to retrieve data objects is associated with a first subscriber (i.e. a user or customer who can initiate a call) (col. 5, line 6 – col. 6, line 15; col. 8, line 8 – col. 9, line 24) and a network type terminal (i.e. telephone) that relies on the network to retrieve data objects (i.e. an incoming phone call from the user or customer) associated with a second subscriber (i.e. company or customer service representative; other party) (col. 3, line 59 – col. 4, line 7; col. 5, line 63 – col. 6, line 5; col. 8, lines 27-30; col. 9, lines 6-25). Grunsted further discloses selectively providing data object retrieval (i.e. initiating a phone call) only to subscribers (i.e. customer or company representatives; other party) associated with network type terminals (i.e. telephones) (col. 5, line 29 – col. 6, line 15; col. 8, line 8 – col. 9, line 24).

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter '...a telecommunications network...' which applicant regards as the invention. Applicant remarks that a telecommunications network is a public switched telephone network (page 9 of Remarks in After Final Amendment, lines 1-10), however this is not reflected in the claims.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-4 and 6-9 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Pat. No. 6,192,123 by Grunsted et al (cited by Applicant in IDS filed on 3-6-06), hereinafter Grunsted.

Regarding claim 1, Grunsted discloses a method of providing data objects to terminals (i.e. computers or telephones) of subscribers (i.e. users or customers; customer representatives) in a first telecommunications network (Fig. 1; i.e. architecture of telephone service system that

provides call setup between a subscriber of a computer and a subscriber of a telephone) having first subscribers (i.e. users or customers) with autonomous type terminals (i.e. multiple computers; Fig. 1: 110a-110d) and second subscribers (i.e. customer or company representatives; other party) with network type terminals (i.e. multiple telephones; Fig. 1: 140a-140d), wherein the autonomous type terminals comprise functionality (i.e. a Web Browser) for client-based retrieval of data objects (i.e. retrieving a stored web page and generating a web page; stored phone book entries) (col. 5, line 6 – col. 6, line 15; col. 8, line 8 – col. 9, line 24) and wherein the network type terminals (i.e. multiple telephones; Fig. 1: 140a-140d) rely on functionality in the network (i.e. a web server and phone switch; Fig. 2; col. 4, lines 40-42) to provide for retrieval of data objects (i.e. an incoming phone call from the user or customer) (col. 3, line 59 – col. 4, line 7; col. 5, line 63 – col. 6, line 5; col. 8, lines 27-30; col. 9, lines 6-25), the method comprising: associating each of the first and second subscribers with the corresponding type of terminal (col. 4, lines 2-4; col. 5, lines 29-62; col. 8, lines 27-30; col. 9, lines 6-15); determining occurrences of triggering events (i.e. initiating a ‘call me now’ function; initiating a call to an other party; initiating a conference call) indicating communication events (i.e. calls) between subscribers (i.e. customers or users; customer or company representatives; other party) (col. 5, line 6 – col. 6, line 15; col. 8, line 8 – col. 9, line 24); and upon determination of each triggering event (i.e. initiating a ‘call me now’ function; initiating a call to an other party; initiating a conference call), selectively providing data object retrieval (i.e. initiating a phone call via a phone server (Fig. 2, 220)) only to subscribers (i.e. customer or company representatives; other party) associated with network type terminals (i.e. telephones) (col. 5, line 29 – col. 6, line 15; col. 8, line 8 – col. 9, line 24).

Regarding claim 2, the method according to claim 1, Grunsted further comprising:
associating a terminal capability (i.e. computer or telephone) with at least one of the subscribers (i.e. user or customer; company or customer service representative; other party) (col. 3, line 65 – col. 4, line 4; col. 5, lines 11-62);
wherein providing data object retrieval only to subscribers associated with
network type terminals (i.e. telephones) comprises providing data retrieval in view of the associated terminal capabilities (col. 5, line 29 – col. 6, line 15; col. 8, line 8 – col. 9, line 24).

Regarding claim 3, the method according to claim 1 or 2, Grunsted further comprising:
determining whether a subscriber (i.e. company or customer service representative; other party) involved in a first communication event (i.e. call) belongs to a second network (i.e. PSTN) and, if the subscriber belongs to the second network, then selectively letting the second network provide data object retrieval to the subscriber based on whether the second network provides data object retrieval for network type terminals (i.e. telephones) (col. 3, lines 65-67; col. 4, lines 40-42).

Regarding claim 4, the method according to claim 1 or 2, Grunsted further comprising:
determining whether a subscriber (i.e. company or customer service representative; other party) involved in a first communication event (i.e. call) belongs to a second network (i.e. PSTN) and, if the subscriber belongs to the second network, then selectively providing data object retrieval to the subscriber based on whether the second network provides data object retrieval for network type terminals (i.e. telephones) (col. 3, lines 65-67; col. 4, lines 40-42).

Regarding claim 6, the method according to claim 4, Grunsted further comprising:

only providing data objects of an audio nature (i.e. phone call signaling) to subscribers belonging to the second network (i.e. PSTN) (col. 6, lines 6-15).

Regarding claim 7, the method according to claim 1, wherein Grunsted discloses providing data object retrieval comprises: requesting a phone page number service (i.e. initiating a 'call me now' function; initiating a call to an other party; initiating a conference call) to determine a phone page web server (i.e. web server; Fig. 2, 210); requesting a data object (i.e. web page) of the phone page web server; and providing the data object received from the phone page web server to a subscriber (i.e. user or customer) involved in a first communication event (i.e. call) (col. 5, line 18 – col. 6, line 15; col. 8, line 8 – col. 9, line 24).

Regarding claim 8, the method according to claim 1, wherein Grunsted providing data object retrieval comprises:
requesting a data holder (i.e. browser) to provide a data object to a subscriber (i.e. user or customer) involved in a first communication event (i.e. call) (col. 5, line 18 – col. 6, line 15; col. 8, line 8 – col. 9, line 24).

Regarding claim 9, Grunsted discloses a filtering server (i.e. a web server; Fig. 2, 210) of a communication network (Fig. 1; i.e. architecture of telephone service system) arranged to provide data objects to terminals (i.e. computers or telephones) of subscribers (i.e. users or customers; customer representatives) the communication network (Fig. 1; i.e. architecture of telephone service system) having first subscribers (i.e. users or customers) with autonomous type terminals (i.e. multiple computers; Fig. 1: 110a-110d) and second subscribers (i.e. customer or company representatives; other party) with network type terminals (i.e. multiple telephones; Fig. 1: 140a-140d), wherein the autonomous type terminals comprise functionality (i.e. a Web

Browser) for client-based retrieval of data objects (i.e. retrieving a stored web page and generating a web page; stored phone book entries) (col. 5, line 6 – col. 6, line 15; col. 8, line 8 – col. 9, line 24) and wherein the network type terminals (i.e. multiple telephones; Fig. 1: 140a-140d) rely on functionality in the network (i.e. a web server and phone switch; Fig. 2; col. 4, lines 40-42) to provide for retrieval of data objects (i.e. an incoming phone call from the user or customer) (col. 3, line 59 – col. 4, line 7; col. 5, line 63 – col. 6, line 5; col. 8, lines 27-30; col. 9, lines 6-25), the method comprising:

associate each of the first and second subscribers with the corresponding type of terminal (col. 4, lines 2-4; col. 5, lines 29-62; col. 8, lines 27-30; col. 9, lines 6-15);

determine occurrences of triggering events (i.e. initiating a ‘call me now’ function; initiating a call to an other party; initiating a conference call) indicating communication events (i.e. calls) between subscribers (i.e. customers or users; customer or company representatives; other party) (col. 5, line 6 – col. 6, line 15; col. 8, line 8 – col. 9, line 24); and

upon determination of each triggering event (i.e. initiating a ‘call me now’ function; initiating a call to an other party; initiating a conference call), to provide data object retrieval (i.e. initiating a phone call via a phone server (Fig. 2, 220)) only to subscribers (i.e. customer or company representatives; other party) associated with network type terminals (i.e. telephones) (col. 5, line 29 – col. 6, line 15; col. 8, line 8 – col. 9, line 24).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 5 is rejected under 35 U.S.C. 103(a) as being obvious over Grunsted, as applied to claim 4, in further view of U.S. Pat. No. 6,978,005 by Pernu et al, hereinafter Pernu.

Regarding claim 5, the method according to claim 4, Grunsted further comprising:
only providing data objects of an audio nature (i.e. phone call signaling) to subscribers belonging to the second network (i.e. PSTN) (col. 6, lines 6-15).

Grunsted does not disclose further comprising: only providing data objects of a text nature to subscribers belonging to the second network.

Pernu discloses a method of providing data objects to terminals of subscribers in a first telecommunications network (Fig. 1: i.e. ISDN) having subscribers (i.e. A-party; B-party) with network type terminals (col. 5, lines 20-36), wherein the network type terminals (i.e. telecommunication terminals; Fig. 1: TE1, TE2) rely on functionality in the network to provide for retrieval of data objects (i.e. telephone book information) (col. 6, lines 29-44; col. 7, line 50 – col. 8, line 5).

Providing data objects of a text nature to subscribers with network type terminals (col. 6, lines 29-44; col. 7, line 50 – col. 8, line 5).

Again, Grunsted discloses the claimed method except Grunsted does not disclose only providing data objects of a text nature to subscribers belonging to the second network. However, the claimed limitation of only providing data objects of a text nature to subscribers belonging to the second network was old and well known in the art. Pernu clearly teaches such concept.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Grunsted to include only providing data objects of a text nature to subscribers belonging to the second network as taught by Pernu. In other words, one of ordinary skill in the art would have been lead to make such a modification of Grunsted to provide data objects in text to network type terminals, such as the network type terminals of Pernu, to the multiple telephones of Grunsted so that the multiple telephones can retrieve data objects in text.

Allowable Subject Matter

9. Claim 11 is objected to as being dependent upon a rejected base claim 9, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 Form.

11. Any response to this action should be mailed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LISA HASHEM whose telephone number is (571)272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Lisa Hashem/
Examiner, Art Unit 2614
September 8, 2009